

COPY OF PAPERS
ORIGINALLY FILED

09/18/01 11:11:00 scdta

PTO/SB/21 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Application Number

09/1873,645 ✓

Filing Date

6-4-01

First Named Inventor

TAYLOR

Group Art Unit

Examiner Name

Total Number of Pages in This Submission

Attorney Docket Number

P-633

ENCLOSURES (check all that apply)



Fee Transmittal Form



Fee Attached



Amendment / Reply



After Final



Affidavits/declaration(s)



Extension of Time Request



Express Abandonment Request



Information Disclosure Statement



Certified Copy of Priority Document(s)



Response to Missing Parts/
Incomplete Application



Response to Missing Parts
under 37 CFR 1.52 or 1.53



Assignment Papers
(for an Application)



Drawing(s)



Licensing-related Papers



Petition



Petition to Convert to a
Provisional Application



Power of Attorney, Revocation
Change of Correspondence
Address



Terminal Disclaimer



Request for Refund



CD, Number of CD(s) _____



After Allowance Communication
to Group



Appeal Communication to Board
of Appeals and Interferences



Appeal Communication to Group
(Appeal Notice, Brief, Reply Brief)



Proprietary Information



Status Letter



Other Enclosure(s) (please
identify below):

Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm
or
Individual name



25732

PATENT & TRADEMARK OFFICE

Signature

John F. Brady

Date

19 NOV 01

CERTIFICATE OF MAILING

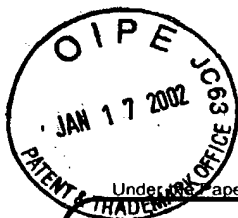
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, Washington, DC 20231 on this date:

Typed or printed name

Signature

Date

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



PTO/SB/17 (10-01)
Approved for use through 10/31/2002. OMB 0651-0032
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE
Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL for FY 2002

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT

(\$) 120

Complete if Known

Application Number	09/1873,645
Filing Date	6-4-01
First Named Inventor	TAYLOR
Examiner Name	
Group Art Unit	
Attorney Docket No.	P-633

METHOD OF PAYMENT

1. ☒ The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number: 500821
Deposit Account Name:

☒ Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17

☒ Applicant claims small entity status. See 37 CFR 1.27

2. ☐ Payment Enclosed:

☐ Check ☐ Credit card ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
101	740	201	370	Utility filing fee	
106	330	206	165	Design filing fee	
107	510	207	255	Plant filing fee	
108	740	208	370	Reissue filing fee	
114	160	214	80	Provisional filing fee	

SUBTOTAL (1) (\$)

2. EXTRA CLAIM FEES

Total Claims: Extra Claims: Fee from below: Fee Paid:
Independent Claims: -20** = X =
Multiple Dependent Claims: -3** = X =

Large Entity Small Entity
Fee Code (\$)

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	84	202	42	Independent claims in excess of 3
104	280	204	140	Multiple dependent claim, if not paid
109	84	209	42	** Reissue independent claims over original patent
110	18	210	9	** Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$)

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

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3. ADDITIONAL FEES

Fee Code	Large Entity (\$)	Fee Code	Small Entity (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for <i>ex parte</i> reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	55
116	400	216	200	Extension for reply within second month	
117	920	217	460	Extension for reply within third month	
118	1,440	218	720	Extension for reply within fourth month	
128	1,960	228	980	Extension for reply within fifth month	
119	320	219	160	Notice of Appeal	
120	320	220	160	Filing a brief in support of an appeal	
121	280	221	140	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,280	241	640	Petition to revive - unintentional	
142	1,280	242	640	Utility issue fee (or reissue)	
143	460	243	230	Design issue fee	
144	620	244	310	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Processing fee under 37 CFR 1.17(q)	
126	180	126	180	Submission of Information Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	740	246	370	Filing a submission after final rejection (37 CFR § 1.129(a))	
149	740	249	370	For each additional invention to be examined (37 CFR § 1.129(b))	
179	740	279	370	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify) Surcharge					65

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 120

SUBMITTED BY

Name (Print/Type)	JOHN BRADY	Registration No. (Attorney/Agent)	39,118	Telephone	800/2050267x134
Signature	John Brady	Date	19/10/01		

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

Burden Hour Statement: This form is estimated to take 0.2 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

Response To Notice To File Missing Parts Of Application Filing Date Granted (PTO-1533)(Small Entity)			Docket No. P-633
In Re Application Of: TAYLOR et al			
Serial No. 09/873,645	Filing Date 06/04/2001	Examiner N/A	Group Art Unit N/A
Invention: ANALYSIS OF DATA FROM LIQUID CHROMATOGRAPHIC SEPARATION OF DNA			
<p style="text-align: center;"><u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u> <u>Box Missing Parts</u></p> <p>This is a response to the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533) mailed on <u>08/20/2001</u> Date</p> <p style="text-align: right;">COPY OF PAPERS ORIGINALLY FILED</p> <p>Enclosed herewith for filing are the following:</p> <ul style="list-style-type: none"><input checked="" type="checkbox"/> A copy of the Notice to File Missing Parts of Application - Filing Date Granted (PTO-1533). (REQUIRED)<input type="checkbox"/> An oath or declaration in compliance with 37 CFR 1.63, including residence information and identifying the application by the above Application Number and Filing Date.<input checked="" type="checkbox"/> A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date.<input type="checkbox"/> An oath or declaration in compliance with 37 CFR 1.63 listing the names of all inventors and signed by the omitted inventor(s), identifying this application by the above Application Number and Filing Date.<input type="checkbox"/> A verified English translation of the non-English language application papers as originally filed. It is requested that this translation be used as the copy for examination purposes in the United States Patent and Trademark Office.<input checked="" type="checkbox"/> <u>1</u> verified small entity declaration(s)<ul style="list-style-type: none"><input type="checkbox"/> is/are attached.<input checked="" type="checkbox"/> was/were filed on <u>06/04/2001</u><input type="checkbox"/> A separate request for refund.<input checked="" type="checkbox"/> Other (list):<div style="border: 1px solid black; padding: 5px; margin-top: 5px;"><ul style="list-style-type: none">* 2 Executed Declaration and Power of Attorney For Patent Application* Postage Prepaid Postcard</div>			

Response To Notice To File Missing Parts Of Application Filing Date Granted (PTO-1533)(Small Entity)			Docket No. P-633
In Re Application Of: TAYLOR et al			
Serial No. 09/873,645	Filing Date 06/04/2001	Examiner N/A	Group Art Unit N/A
Invention: ANALYSIS OF DATA FROM LIQUID CHROMATOGRAPHIC SEPARATION OF DNA			
<u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u> <u>Attention: Manager, Application Branch</u>			
<input checked="" type="checkbox"/> Completion of application fees as calculated below:			
<input type="checkbox"/> Utility application filing fee			
<input type="checkbox"/> Design application filing fee			
<input type="checkbox"/> Total number of independent claims = _____			
<input type="checkbox"/> Total number of claims = _____			
<input type="checkbox"/> Multiple dependent claims			
<input checked="" type="checkbox"/> Surcharge for late payment of filing fee and/or late filing of original declaration or oath			\$65.00
<input type="checkbox"/> Petition and fee for filing by other than all the inventors or a person not the inventor			
<input type="checkbox"/> Fee for processing an application filed with a non-English language specification			
<input type="checkbox"/> Fee for processing and retention of application			
Total completion of application fees			\$65.00
This is a request under the provisions of 37 CFR 1.136(a) to extend the period for filing a response to the above-identified Notice to File Missing Parts of Application. The requested extension is as follows (check time period desired). If an additional time extension is required, please consider this a petition therefor.			
<input checked="" type="checkbox"/> One month <input type="checkbox"/> Two months <input type="checkbox"/> Three months <input type="checkbox"/> Four months <input type="checkbox"/> Five months			
from: October 20, 2001 <div style="text-align: center; font-size: small;">Date</div>		until: November 20, 2001 <div style="text-align: center; font-size: small;">Date</div>	
Total time extension fees			\$55.00
Total fees due			\$120.00

**Response To Notice To File Missing Parts Of Application
Filing Date Granted (PTO-1533) (Small Entity)**

Docket No.
P-633

In Re Application Of: TAYLOR et al

Serial No.
09/873,645

Filing Date
06/04/2001

Examiner
N/A

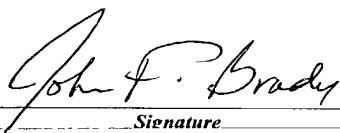
Group Art Unit
N/A

Invention: ANALYSIS OF DATA FROM LIQUID CHROMATOGRAPHIC SEPARATION OF DNA

TO THE ASSISTANT COMMISSIONER FOR PATENTS:
Attention: Manager, Application Branch

The fee of \$120.00 is to be paid as follows:

- ☐ A check in the amount of the fee is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. 50-0821
A duplicate copy of this sheet is enclosed.
- ☒ If an additional extension of time is required, please consider this a petition therefor and charge any additional fees which may be required to Deposit Account No. 50-0821
A duplicate copy of this sheet is enclosed.



Signature

JOHN F. BRADY
REG NO 39,118
TRANSGENOMIC INC
2032 CONCOURSE DR
SAN JOSE CA 95131

Dated:

19 Nov 01

I certify that this document and fee is being deposited on **October 25, 2001** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Signature of Person Mailing Correspondence

E. Tina Domingo

Typed or Printed Name of Person Mailing Correspondence



25732

PATENT & TRADEMARK OFFICE

CC:



UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/873,645	06/04/2001	Paul D. Taylor	P-633

25732
WILLIAM B. WALKER
TRANSGENOMIC, INC.
2032 CONCOURSE DRIVE
SAN JOSE, CA 95131

CONFIRMATION NO. 4460

FORMALITIES LETTER



OC00000006450508

COPY OF PAPERS
ORIGINALLY FILED

Date Mailed: 08/20/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$65 for a small entity in compliance with 37 CFR 1.27, must be submitted with the missing items identified in this letter.
- **The balance due by applicant is \$ 65.**

The application is informal since it does not comply with the regulations for the reason(s) indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Substitute drawings in compliance with 37 CFR 1.84 because:
 - drawing sheets do not have the appropriate margin(s) (see 37 CFR 1.84(g)). Each sheet must include a top margin of at least 2.5 cm. (1 inch), a left side margin of at least 2.5 cm. (1 inch), a right side margin of at least 1.5 cm. (5/8 inch), and a bottom margin of at least 1.0 cm. (3/8 inch);
- This application clearly fails to comply with the requirements of 37 C.F.R. 1.821-1.825. Applicant's attention is directed to the final rulemaking notice published at 55 FR 18230 (May 1, 1990), and 1114 OG 29 (May 15, 1990). If the effective filing date is on or after July 1, 1998, see the final rulemaking notice published at 63 FR 29620 (June 1, 1998) and 1211 OG 82 (June 23, 1998). If the effective filing date is on or after September 8, 2000, see the final rulemaking notice published in the Federal Register at 65 FR 54604 (September 8, 2000) and 1238 OG 145 (September 19, 2000). Applicant must provide an initial computer readable form (CRF) copy of the "Sequence Listing", an initial paper or compact disc copy of the "Sequence Listing", as well as an amendment directing its entry into the application. Applicant must also provide a statement that the content of the sequence listing information recorded in computer readable

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form is identical to the written (on paper or compact disc) sequence listing and, where applicable, includes no new matter, as required by 37 CFR 1.821(e), 1.821(f), 1.821(g), 1.825(b), or 1.825(d). If applicant desires the sequence listing in the instant application to be identical with that of another application on file in the U.S. Patent and Trademark Office, such request in accordance with 37 CFR 1.821(e) may be submitted in lieu of a new CRF.

For questions regarding compliance to these requirements, please contact:

- **For Rules Interpretation, call (703) 308-4216**
- **To Purchase PatentIn Software, call (703) 306-2600**
- **For PatentIn Software Program Help, call (703) 306-4119 or e-mail at patin21help@uspto.gov or patin3help@uspto.gov**

A copy of this notice MUST be returned with the reply.



Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE